REMARKS

Upon entry of the amendments herein, claims 1-6, 8-20 and 24-37 remain pending in the application. Claims 1, 32 and 33 have been amended herein. No new matter has been introduced by any of these amendments. Of the pending claims, 12-20, 24-31 and 35-37 currently stand withdrawn pending the possibility of rejoining upon agreement as to allowable subject matter in the claims now being considered by the Examiner.

Applicants acknowledge with gratitude the time taken by Examiner Qian to discuss this case again with the undersigned on April 29, 2008 and to clarify some of the points made in the Advisory Action. The Examiner confirmed that it is her belief that the language Applicants attempted to introduce into claim 1 in their January 25, 2008 Amendment and Response constitutes new matter. More particularly, the Examiner, while having previously acknowledged the existence of support for a link between the Nurr1 gene and schizophrenia and/or manic-depressive illness, asserted that there is no support for a link between fragments and variants of the gene and these disorders. The Examiner further asserted that the passage on pages 6 and 7 of the instant specification, cited by Applicants as support for the language, discloses only a link between mutations in the Nurr1 gene and the disorders in question.

Claim 1 as presented herein is modified from the version of the claim presented in Applicants' January 25, 2008 Amendment and Response, which version was not entered by the Examiner. In the present version, the intent of the invention is more clearly recited, an intent which is adequately supported by Applicants' written description. **Applicants wish to make clear that the amendments submitted on January 25, 2008, but not entered, are not to be entered at this time.** The amendments presented herein

have been made to the claims as they existed following entry of the amendments in Applicants' August 16, 2007 Amendment and Response.

While the amended version of the claim submitted herein constitutes a modified form of the version submitted on January 25, 2008, the present language remains fully responsive to the Examiner's statement in the final Office Action that "[I]n fact, the whole point of the rejection is that the structural and functional relationship between the claimed genus of the nucleic acid [sic] and their function is missing." Put another way, claim 1 as presented herein still recites what, in the Examiner's words, "is the unifying function that all those fragments and variants must share."

It must be reemphasized that Applicants have established a link between the mutations recited in the claims and schizophrenia and/or manic-depressive illness and that the Examiner has acknowledged that Applicants have done so. It follows that one of skill in the art would understand and find credible the idea that fragments and variants of the gene that also bear one or more of these mutations are also functional in the sense set forth in the specification. The claims as presented herein clearly recite not only that the gene, fragment or variant must contain one or more of the specific mutations discovered by Applicants, but that these mutations are linked to the disorders. Most relevant to the analysis, one of skill in the art would find credible not only the assertion that the proteins encoded by the parent genes would have the disclosed utilities, but that fragments and variants of the genes, by virtue of the fact that they too must contain the mutations in question, would also be useful in the various means of practicing the invention set forth on pages 8-10 of the instant specification and presently claimed.

The claims as presented herein are faithful to the disclosure cited by Applicants in their last response, namely, the passage running from page 6, line 22 through page 7, line 9 of the instant specification. Furthermore, the passage running from page 5, line 21 through page 6, line 20 provides disclosure of the characteristics of the fragments and variants contemplated in the present invention. Still further, the disclosure found on page 7, lines 11-30 provides additional support for the notion that it is the presence of the mutations themselves that is the key to the utility of the invention and that fragments and variants of the parent gene that include one or more of these mutations would be expected to exhibit the claimed utilities.

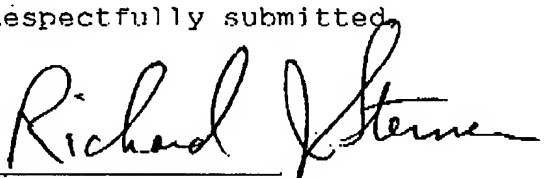
Claims 32 and 33 are presented herein in exactly the same amended form that they were presented in Applicants' last response. The Examiner indicated in the Advisory Action that these amendments were sufficient to overcome the outstanding indefiniteness rejection. Furthermore, although the Examiner did not mention it in the Advisory Action, the amendment to claim 33 renders moot the rejection under 35 U.S.C. §101.

Accordingly, all remaining issues have been addressed, and the application is in condition for allowance. Reconsideration and allowance of the application with elected claims 1-6, 8-11 and 32-34 are respectfully requested. It is also respectfully requested that all, or at least some, of the method claims be rejoined to the allowable composition claims and also allowed; any claims that are not ultimately rejoined will be canceled by Applicants. It is requested that the Examiner contact the undersigned in this regard prior to the mailing of another Office Action. Should any other matters require attention prior to allowance, it is also requested that the Examiner contact the undersigned.

In the accompanying Form PTO/SB/30, Applicants have provided for payment of the fee under 37 C.F.R. §1.17(e) required by 37 C.F.R. §1.114. No other fees should be due. However, should it be determined that an additional fee is required for any reason, the Commissioner is hereby authorized to charge it to Deposit Account No. 23-1703.

Dated: May 15, 2008

Respectfully submitted,



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Enclosures (RCE Transmittal, Form PTO/SB/30, in duplicate)